



JP

PATENT
Customer No. 22,852
Attorney Docket No. 05725.1020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Véronique FERRARI)	Group Art Unit: 1615
Application No.: 10/047,987)	Examiner: J. Venkat
Filed: January 17, 2002)	
For: LIPSTICK COMPOSITION)	
CONTAINING A POLYMER AND)	
A FLUORO OIL (AS AMENDED))	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

EXAMINER'S COMMUNICATION

Applicant would like to thank the Examiner for the courtesy call to the undersigned on August 30, 2004, to discuss the possible filing of a terminal disclaimer. The Examiner discussed with the undersigned whether a Terminal Disclaimer filed in related applications can be an admission regarding double patenting. For the Examiner's convenience, Applicant directs the Examiner to M.P.E.P. § 804.02 and encloses a copy of *Quad Environmental Technologies Corp. v. Union Sanitary Dist.*, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991), which discusses that the mere filing of a terminal disclaimer does not constitute an admission of obviousness-type double patenting.

Should the Examiner wish to discuss this application further, she is asked to contact the undersigned at her convenience.

Application No. 10/047,987
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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 31, 2004

By: Erin C. DeCarlo
Erin C. DeCarlo
Reg. No. 51,688

Phone: (404) 653-6464

Attachment: *Quad Environmental Technologies Corp. v. Union Sanitary
Dist.*, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991)